

Senate Bill 508

By: Senators Tarver of the 22nd and Powell of the 23rd

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the City Court of Richmond County, now the State Court of
2 Richmond County, approved September 22, 1881 (Ga. L. 1880-81, p. 574), as amended, so
3 as to change the second division's jurisdiction to make the second division judge coequal
4 with those judges of Division 1; to remove references to associate judge; to create a third
5 division of the State Court of Richmond County; to provide for the judge of the third division
6 and the qualifications, election, duties, responsibilities, and compensation thereof; to repeal
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the City Court of Richmond County, now the State Court of Richmond
11 County, approved September 22, 1881 (Ga. L. 1880-81, p. 574), as amended, is amended
12 by striking Section 2-2 and inserting in its place a new section to read as follows:

13 "SECTION 2-2.

14 (a)(1) In addition to all other judges of the state court, there shall be one judge of the
15 second division. The qualifications and election of the judge shall be as provided by
16 general law.

17 (2) Except as otherwise provided in this section, said judge shall have and may exercise
18 all powers, duties, jurisdictions, privileges, and immunities of the present judge of the
19 State Court of Richmond County under the provision of this Act and the general law
20 applicable to said present judge.

21 (b) The initial judge shall be appointed by the Governor for an initial term beginning on
22 July 1, 1997, and expiring on December 31, 1998, and upon the election and qualification
23 of a successor."

SECTION 2.

Said Act is further amended by striking Section 2-3 and inserting in its place a new section to read as follows:

"SECTION 2-3.

(a) The judge shall receive the same compensation as the present judge of the State Court of Richmond County payable in equal monthly installments from the funds of Augusta-Richmond County, Georgia. The judge is designated as a full-time judge and may not engage in the private practice of law.

(b) Any salary supplement heretofore enacted by Augusta-Richmond County, Georgia, shall also be applicable to the judge."

SECTION 3.

Said Act is further amended by striking Section 2-5 and inserting in its place a new section to read as follows:

"SECTION 2-5.

The chief judge shall receive additional compensation for performing the handling of the administration and operation of the State Court of Richmond County."

SECTION 4.

Said Act is further amended by striking Section 2-7 and inserting in its place a new section to read as follows:

"SECTION 2-7.

The judge shall take an oath to faithfully administer and discharge the duties of his or her office in accordance with the Constitution and laws of the State of Georgia, which oath may be administered by any officer authorized under the laws of this state to administer oaths."

SECTION 5.

Said Act is further amended by adding a new Part III to read as follows:

1 "PART III

2 SECTION 3-1.

3 There is created a third division of the State Court of Richmond County. The third division
4 of the state court shall be governed by the provisions of general law contained in Chapter
5 7 of Title 15 of the O.C.G.A., relating to state courts, and by the additional provisions of
6 this part.

7 SECTION 3-2.

8 (a)(1) In addition to all other judges of the state court, there shall be one judge of the
9 third division. The qualifications and election of the judge shall be as provided by
10 general law.

11 (2) Except as otherwise provided in this section, said judge shall have and may exercise
12 all powers, duties, jurisdictions, privileges, and immunities of the present judges of the
13 State Court of Richmond County under the provision of this Act and the general law
14 applicable to said present judges.

15 (b) The initial judge shall be elected by the qualified voters of Richmond County at the time
16 of the November, 2006, state-wide general election for a four-year term beginning on January
17 1, 2007, and expiring on December 31, 2010, and until the election and qualification of a
18 successor. The successor and each future successor shall be elected by the qualified voters
19 of Richmond County at the time of the state-wide general election immediately preceding the
20 expiration of the then current judge's term of office, shall take office on the first day of
21 January immediately following that election, and shall serve for a term of office of four years
22 and until the election and qualification of a successor. Such elections shall be conducted as
23 provided by Chapter 7 of Title 15 and Title 21 of the O.C.G.A.

24 SECTION 3-3.

25 (a) The judge shall receive the same compensation as the present judges of the State Court
26 of Richmond County payable in equal monthly installments from the funds of
27 Augusta-Richmond County, Georgia. The judge is designated as a full-time judge and may
28 not engage in the private practice of law.

29 (b) Any salary supplement heretofore enacted by Augusta-Richmond County, Georgia,
30 shall also be applicable to the judge.

SECTION 3-4.

The judge of the State Court of Richmond County who has served the longest period of time in office as judge of said court shall be the chief judge of the State Court of Richmond County.

SECTION 3-5.

The chief judge shall receive additional compensation for performing the handling of the administration and operation of the State Court of Richmond County.

SECTION 3-6.

Such chief judge shall be responsible further for the administration and the expeditious disposition of the business of the state court, both civil and criminal, and shall have power to make such rules as the chief judge shall deem necessary or proper for such purpose but which are not in conflict with the general laws of this state. Such rules, when approved by the chief judge and filed in the office of the clerk of the State Court of Richmond County, shall be binding upon the other judge or judges of said court. The chief judge shall be vested with the power to make all appointments whenever the law provides for the state court judge to make appointments. Such chief judge may by published rule, or from time to time by order, allocate the jurisdiction and powers of the state court of said county and the duties of the judges thereof; may assign to the other judge or judges of said court such business of said court as the chief judge shall deem appropriate; may require reports from the clerk of the court and from any judge of said court relative to business of the court; and generally shall supervise and direct the disposition of all business, both civil and criminal of said court.

SECTION 3-7.

The judge shall take an oath to faithfully administer and discharge the duties of his or her office in accordance with the Constitution and laws of the State of Georgia, which oath may be administered by any officer authorized under the laws of this state to administer oaths."

SECTION 6.

Said Act is further amended by striking subsection (d) of Section II B and inserting in its place a new subsection to read as follows:

4 **SECTION 7.**
5 All laws and parts of laws in conflict with this Act are repealed.

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.